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February 22, 2011

*Via ECF and Facsimile to (973) 645-4412*

The Honorable Michael A. Shipp, U.S.M.J.  
The United States District Court for the District of New Jersey  
Martin Luther King, Jr. Federal Building & United States Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

Re: ***Reyes v. Keith Machinery Corp., et al.***  
Civil Action No.: 2:09-CV-5309  
Our File No.: 348-1033

Dear Judge Shipp:

This firm represents defendant Keith Machinery Corp. ("KMC") in the above-referenced matter. We are writing in response to plaintiff's request for an extension of the deadline to serve expert reports.

KMC does not object to plaintiff's request for an extension. However, KMC does object to plaintiff's characterizations of Jon Hatz's testimony. In addition, plaintiff's application does not reference the deadline for service of rebuttal expert reports, which is currently scheduled for March 28, 2011. In the event that the court grants plaintiff's request, we respectfully submit that KMC's rebuttal report deadline and the remaining deadlines (expert deposition deadline, pretrial order submission deadline and pretrial conference deadline) should be extended the same amount of time.

KMC will of course respond to plaintiff's discovery demands once they are received in accordance with the Federal Rules of Civil Procedure, reserving its right to assert appropriate objections.

We appreciate Your Honor's time and attention to this matter.

The Honorable Michael A. Shipp, U.S.M.J.

February 22, 2011

Page 2

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Haworth", with a long horizontal flourish extending to the right.

Scott Haworth

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